IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

Bail Appl..No. 4750 of 2007()

CMP.1276/2007 of J.M.F.C.-II, SULTHANBATHERY
CRIME NO.48/07 OF SULTHAN BATHERY EXCISE RANGE.

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PETITIONER/ACCUSED

NARAYANAN,
S/O. SANKARAN, AGED 47,
PULLATTUKUNNEL (H),SASIMALA, UDAYA KAVALA,
PADICHIRA.

BY ADV. SRI.S.M.PRASANTH

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4750 of 2007

Dated this the 6th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 4.2 litres of Indian Made Foreign Liquor. He was arrested on 25/7/07 and was produced before the learned Magistrate on 26/7/07. He continues in custody from that date. The petitioner has come to this Court without and before moving the learned Sessions Judge.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be

released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 8/8/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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